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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/899,919	07/09/2001	Kazuhiro Asada	110064	4531

25944 7590 09/25/2002

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EXAMINER

KIM, RICHARD H

ART UNIT	PAPER NUMBER
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2822

DATE MAILED: 09/25/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/899,919

Applicant(s)

ASADA, KAZUHIRO

Examiner

Richard H Kim

Art Unit

2882

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2,3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

2. Claims 1-4 are rejected under 35 U.S.C. 102(e) as being anticipated by Hermann.

Referring to claim 1, Hermann discloses an optical connector comprising a housing having a cord receiving hole portion in which an optical fiber cord can be inserted and received along an axis of the optical fiber cord (see Fig. 2); and a stopper including a plate-like portion (see Fig. 2, ref. 11) having a positioning slit having a width slightly smaller than a diameter of the optical fiber cord (see Fig. 3, ref. 9); wherein a mounting hole, through which the plate-like portion of the stopper can be inserted into the cord receiving hole portion (see col. 2, lines 40-43) in a direction perpendicular to a direction of insertion of the optical fiber cord (see Fig. 2), is formed in the housing (see Fig. 1, ref. 9), and the housing has a stopper retaining portion for holding the plate-like portion of the stopper in a posture perpendicular to the direction of insertion of the optical fiber cord (see col. 3, lines 11-14; Fig. 4, ref. 16); and wherein when the stopper is inserted into the cord receiving hold portion, each of blade portions, formed by a side edge of the positioning slit and a distal edge of the plate-like portion disposed perpendicular to the side edge, penetrates into a covering portion of the optical fiber in a direction different from a

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direction toward an axis of the optical fiber cord, while forcing a portion of the covering away (see col. 3, lines 11-21; Fig. 5), thereby positioning the optical fiber cored in a fixed manner in the direction of the axis of the optical fiber cord (see col. 3, lines 21-25, Fig. 2-5). It is the position of the examiner that when the blade portion penetrates into a covering portion of the optical fiber, a portion of the covering would inherently be forced away due to a portion of the covering being detached from the rest of the covering of the optical fiber cable.

Referring to claim 2, Hermann discloses an optical connector in which the stopper comprises a pair of the plate-like portions interconnected by an interconnecting piece portion in parallel relation to each other, so that that stopper has a generally U-shape when view from the side thereof (see Fig. 3); and when the stopper is inserted into the cord receiving hole portion, the pair of plate-like portions position the optical fiber cored in a fixed manner in the direction of the axis of the optical fiber cored (see Fig. 4).

Referring to claim 3, Hermann discloses an optical connector wherein each of the opposed side edges of the positioning slit is tapering toward the inside of the positioning slit (see Fig. 3, ref. 11).

Referring to claim 4, Hermann discloses an optical connector in which the distal end edge of the plate-like portion is tapering in a direction of insertion of the plate-like portion (see Fig. 3, ref. 11).

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hermann in view of Morgan (US 6,401,585 B1).

Hermann discloses the device previously recited. However, the reference does not disclose the device wherein reverse blades are formed on and project from each of the opposed side edges of the positioning slit toward the inside of the positioning slit, the reverse blades being directed in a direction generally opposite the direction of insertion of the plate-like portion.

Morgan et al. discloses a device wherein reverse blades are formed on and are directed in a direction generally opposite to the direction of insertion of a plate-like portion (see Fig. 2, ref. 12, 4a, 26).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the device where reverse blades are formed on and project from each of the opposed side edges of the positioning slit toward the inside of the positioning slit, the reverse blades being directed in a direction generally opposite the direction of insertion of the plate-like portion since one would be motivated to maximize the ease of operating the device. Through such a modification, the blade would cut more thoroughly due to the larger number of individual blades used to cut the optical fiber covering. By having a multiple of individual blades, one insertion stroke of the stopper through the optical fiber would produce multiple blade passes through the cut, thereby producing a more thorough cut. As a result the stopper would be more effective to cut into materials of disparate hardness, as disclosed by Morgan (col. 1, lines 25-29).

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*Conclusion*


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard H Kim whose telephone number is (703)305-4791. The examiner can normally be reached on 8:30-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert H Kim can be reached on (703)305-3492. The fax phone numbers for the organization where this application or proceeding is assigned are (703)308-7722 for regular communications and (703)308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)308-0956.

Richard H Kim  
Examiner  
Art Unit 2882

RHK  
September 20, 2002

  
ROBERT H. KIM  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER